

REMARKS

Claims 1-19 are pending in the application. In this Response, no claims have been amended, cancelled, or added.

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejections in view of the following remarks.

Rejection under 35 U.S.C. § 102

Claims 1-19 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,477,570 (hereinafter "Takayama"). The rejection is respectfully traversed.

It should be noted that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claims 1 and 8 recite, *inter alia*, providing a user with a notification by the job transmitting device *before* transmitting said job to the job processing device if it is judged that said job cannot be processed in step 3). Independent claim 14 recites, *inter alia*, a notifying unit for providing a user with a notification *before* transmitting said job to the job processing device if it is judged that said job processing is not executable.

The Examiner relies upon Col. 14, lines 11-15 of Takayama to show that the above-mentioned feature of notifying a user *before* transmitting the job to the job processing device is allegedly taught by Takayama.

Applicants disagree with the Examiner's position and respectfully submit that what is explained in Col. 14, lines 11-15 is a process illustrated in Fig. 15, which is to be executed in the "apparatus that is designated to perform the processing determines whether it or another apparatus should perform the processing". (Col. 13, lines 45-50). According to this process, the apparatus designated to perform the processing checks whether or not a job has been input at step S151. (Col. 13, lines 51-52). Therefore, it is apparent that the Col. 14, lines 11-15 relied by the Examiner is a process executed by the apparatus designated to perform the process *after* the process is transmitted to the apparatus.

Further, Col. 14, lines 11-15 of Takayama discusses that if there is no apparatus having capabilities consonant with the object of the job, program control moves from step S160 to step S164, whereat a plan is prepared for the use of an optimal method that does not depart from the object of the job, and at step S165 the plan is proposed to a user. Takayama further discusses that at step S160, as there is no apparatus that can perform the job for the output of information, program control goes to step S164 and at this step planning is begun to prepare an optimal method for performing the printing, which is the object of the job for the output of information. (Col. 15, lines 41-46). As a result, it is determined that the optimal method involves the return of a printing apparatus to its normal operating status and at step S165, the proposed method, whereby either the printer 104, which is out of toner, or the printer 103, which is out of paper, is to be recovered to the printing enabled state, is presented in a window shown in FIG. 17 for approval by the user. (Col. 15, lines 46-53).

Therefore, Applicants respectfully submit that in step S164 of Takayama, the "optimal method" involves returning a printing apparatus to its normal operating status. This "optimal method" in step S165 includes notifying a user that a printer is out of toner or paper (see FIG. 17) *after* a job has failed to perform.

In contrast, independent claims 1 and 8 recite, *inter alia*, providing a user with a notification by the job transmitting device *before* transmitting said job to the job processing device if it is judged that said job cannot be processed in step 3). Independent claim 14 recites, *inter alia*, a notifying unit for providing a user with a notification *before* transmitting said job to the job processing device if it is judged that said job processing is not executable.

Accordingly, Applicants respectfully submit that Takayama fails to disclose or suggest all the features recited in independent claims 1, 8, and 14.

In view of at least the foregoing, Applicants respectfully submit that the rejection over Takayama should be withdrawn.

Conclusion

Applicants invite the Examiner to contact Applicants' representative at the telephone number listed below if any issues remain in this matter, or if a discussion regarding any portion of the application is desired by the Examiner.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time.

The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge
our Deposit Account No. 02-4800.

Respectfully submitted,

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